



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

**RABINOWITZ, LUBETKIN & TULLY, LLC**

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Livingston, New Jersey 07039

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Barry J. Roy

Jeffrey A. Cooper

*Proposed Counsel to Debtors in Possession*

Order Filed on May 24, 2023  
by Clerk,  
U.S. Bankruptcy Court  
District of New Jersey

In re:

Case No.: 23-12365 (SLM)

MASAHIKO NEGITA and YASUKO NEGITA,

Chapter 11 (Sub V)

Debtors.

Honorable Stacey L. Meisel

**CONSENT ORDER VACATING AUTOMATIC  
STAY AS TO JIMMY RIVAS CONTINGENT UPON  
LIMITING RECOVERIES TO AVAILABLE INSURANCE PROCEEDS, IF ANY**

The relief set forth on the following pages, numbered two (2) to four (4), is hereby

**ORDERED.**

**DATED: May 24, 2023**

A handwritten signature in black ink, appearing to read "Stacey L. Meisel".  
Honorable Stacey L. Meisel  
United States Bankruptcy Judge

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Debtors: Masahiko Negita and Yasuko Negita

Case No. 23-12365 (SLM)

Caption of Order: Consent Order Vacating Automatic Stay As to Jimmy Rivas Contingent  
Upon Limiting Recoveries to Available Insurance Proceeds, If Any

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**THIS MATTER** having been opened to the Court by Rabinowitz, Lubetkin & Tully, LLC, attorneys for Masahiko Negita and Yasuko Negita (the "Debtors") upon the filing of an Application for the entry of the within Consent Order vacating the automatic stay as to Jimmy Rivas contingent upon limiting recoveries to available insurance proceeds, if any; and the Court having been advised of the existence of litigation in the Superior Court of New Jersey, Bergen County, captioned *Rivas v. Negita et al.*, Docket No. BER-L-003873-22; and the parties having agreed to the entry of a consent order granting relief from the automatic stay as to Jimmy Rivas to enable the continued prosecution of that litigation contingent upon limiting any and all recoveries against the Debtors to available insurance proceeds, if any; and counsel for the Debtors having drafted the within Consent Order to accomplish such result; and the Debtors having asserted that no detrimental impact is caused to the within bankruptcy estate from the making and entry of the within Consent Order; and other good and sufficient cause existing for the making and entry of the within Consent Order.

**ORDERED** that all parties to that the Superior Court of New Jersey litigation identified in the decretal paragraph above are hereby provided with relief from the automatic stay as to Jimmy Rivas only to enable the prosecution of that litigation to judgment against the Debtors, expressly dependent upon all such parties limiting their recoveries to available insurance proceeds, if any; and it is further

**ORDERED** that Jimmy Rivas hereby waives, releases, and discharges any and all

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Debtors: Masahiko Negita and Yasuko Negita

Case No. 23-12365 (SLM)

Caption of Order: Consent Order Vacating Automatic Stay As to Jimmy Rivas Contingent  
Upon Limiting Recoveries to Available Insurance Proceeds, If Any

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potential claims he may hold directly against the Debtors' bankruptcy estate, having agreed to limit his recoveries to available insurance proceeds, if any.

*[signatures to follow]*

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Debtors: Masahiko Negita and Yasuko Negita

Case No. 23-12365 (SLM)

Caption of Order: Consent Order Vacating Automatic Stay As to Jimmy Rivas Contingent  
Upon Limiting Recoveries to Available Insurance Proceeds, If Any

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**ACCEPTED AND AGREED:**

**ROGER CHAVEZ**

*Counsel for plaintiff, Jimmy Rivas*

/s/ Roger Chavez

Roger Chavez, Esq.

**RABINOWITZ, LUBETKIN & TULLY, LLC**

*Counsel for the Debtors in Possession*

/s/ Barry J. Roy

Barry J. Roy, Esq.

In re:  
Masahiko Negita  
Yasuko Negita  
Debtors

Case No. 23-12365-SLM  
Chapter 11

District/off: 0312-2  
Date Rcvd: May 24, 2023

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 26, 2023:**

Recip ID	Recipient Name and Address
db/jdb	Masahiko Negita, Yasuko Negita, 8 Floral Terrace, Tenafly, NJ 07670
aty	+ Rabinowitz, Lubetkin & Tully, LLC, 293 Eisenhower Parkway, Suite 100, Livingston, NJ 07039-1711

TOTAL: 2

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 26, 2023

Signature: \_\_\_\_\_  
/s/Gustava Winters

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 24, 2023 at the address(es) listed below:

Name	Email Address
Barry J. Roy	on behalf of Joint Debtor Yasuko Negita broy@rltlawfirm.com
Barry J. Roy	on behalf of Debtor Masahiko Negita broy@rltlawfirm.com
Fran B. Steele	on behalf of U.S. Trustee U.S. Trustee Fran.B.Steele@usdoj.gov
Jeffrey A. Cooper	on behalf of Debtor Masahiko Negita jcooper@rltlawfirm.com cooperatty@aol.com;rgaydos@rltlawfirm.com
Jeffrey A. Cooper	on behalf of Joint Debtor Yasuko Negita jcooper@rltlawfirm.com cooperatty@aol.com;rgaydos@rltlawfirm.com

District/off: 0312-2

User: admin

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Date Rcvd: May 24, 2023

Form ID: pdf903

Total Noticed: 2

Jeffrey M. Traurig

on behalf of Creditor Siwapon Topon jtraurig@trauriglaw.com

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on behalf of Creditor Natcha Natatpisit jtraurig@trauriglaw.com

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on behalf of Creditor Takayuki Sekiya jtraurig@trauriglaw.com

Nancy Isaacson

nisaacson@greenbaumlaw.com isaacson@remote7solutions.com;J101@ecfcbis.com

Phillip Andrew Raymond

on behalf of Creditor JPMorgan Chase Bank National Association phillip.raymond@mccalla.com,  
mccallaecf@ecf.courtdrive.com

Roger Chavez

on behalf of Creditor Jimmy Rivas rchavez@chavezlegal.com rchavez01@aol.com;LawOfficesofRogerChavez@jubileebk.net

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 21